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DATE DEPOSITED: DECEMBER 1, 2003

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Donald E. Weder) Atty. Dkt. No. 8403.228
)
Serial No.: Not Yet Assigned)
)
Filed: December 3, 2003)

For: SELF COOLING MODIFIED ATMOSPHERE PACKAGING FOR A FLORAL
GROUPING

Mail Stop - Patent Application
Commissioner for Patents
P.O. Box 1450, Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

**List of Sections Forming Part of This
Information Disclosure Statement**

The following sections are being submitted for this Information Disclosure
Statement:

1. **[X]** Preliminary Statements
2. **[X]** FORM PTO/SB/08A AND 08B (formerly Form PTO-
 1449)
3. **[X]** Identification of Prior Application in Which Listed
 Information Was Already Cited and for Which No
 Copies are Submitted or Need Be Submitted
4. **[X]** Copies of Listed Information Items Accompanying this
 Statement
5. **[X]** Identification of Person(s) Making this Information
 Disclosure Statement

Section 1. Preliminary Statements

Applicants submit herewith patents, publications or other information of which they are aware, which they believe may be material to the examination of this application and in respect of which there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. § 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

Section 2. FORM PTO/SB/08A AND 08B (Modified)

☒ [X] A completed Form PTO/SB/08A and/or 08B is attached hereto.

☐ [] No Form PTO/SB/08A and/or 08B is attached.

Section 3. Identification of Prior Application in Which Listed Information Was Already Cited and for Which No Copies are Submitted or Need Be Submitted

This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application **U.S. Serial No. 10/202,068, filed on July 23, 2002.**

Section 4. Copies of Listed Information Items Accompanying this Statement.

Legible copies of all items listed in FORM PTO/SB/08A AND 08B (Modified) accompany this information disclosure statement.

☒ [X] Exception(s) to above:

☒ [X] Items in prior application from which an earlier filing date is claimed for this application, as identified in Section 3.

Section 5. Identification of Person(s) Making this INFORMATION DISCLOSURE STATEMENT

The person making this statement is the attorney who signs below on the basis of the information:

- ☐ supplied by the inventor(s)
- ☐ supplied by an individual associated with the filing and prosecution of this application (37 C.F.R. § 1.56(c)).
- ☒ in the attorney's file

Respectfully submitted,



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Date Deposited: 12/01/2003

PTO/SB/08A (08-00)
Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>				C mplete if Known	
				Application Number	Not Yet Assigned
				Filing Date	12/03/2003
				First Named Inventor	Donald E. Weder
				Group Art Unit	Not Yet Assigned
				Examiner Name	Not Yet Assigned
				Attorney Docket Number	8403.228
Sheet	1	of	4		

U.S. PATENT DOCUMENTS						
Examiner Initials ¹	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	AA	2,774,187		Smithers	12/01/1956	
	AB	3,320,697		Larsen	05/01/1957	
	AC	3,657,840		Benoist	04/01/1972	
	AD	4,006,561		Thoma, et al.	02/01/1977	
	AE	4,034,508		Dedolph	07/01/1977	
	AF	4,118,890		Shore	10/01/1978	
	AG	4,189,868		Tymchuck, et al.	02/01/1980	
	AH	4,209,538		Woodruff	06/24/1980	
	AI	4,224,347		Woodruff	09/23/1980	
	AJ	4,400,910		Koudstaal, et al.	08/01/1983	
	AK	4,411,921		Woodruff	10/25/1983	
	AL	4,522,835		Woodruff, et al.	06/11/1985	
	AM	4,987,745		Harris	01/29/1991	
	AN	4,996,071		Bell	02/26/1991	
	AO	5,046,302		Bolejack, et al.	09/10/1991	
	AP	5,111,639		Bolejack, et al.	05/12/1992	
	AQ	5,560,181		Weder	10/01/1996	
	AR	5,560,947		Bell	10/01/1996	
	AS	5,743,398		Weder	04/01/1998	

[illegible]

Examiner Signature		Date Considered	
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¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449B/PTO		Complete if Known	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Application Number	Not Yet Assigned
		Filing Date	12/03/2003
		First Named Inventor	Donald E. Weder
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		Examiner Name	Not Yet Assigned
Sheet 2 of 4	Attorney Docket Number	8403.228	

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS			
Examiner Initials ¹	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	AW	Nowak, J., R.M. Rudnicki, and A.A. Duncan. 1990. Postharvest Handling and Storage of Cut Flowers, Florist Greens, and Potted Plants. *Timber Press Portland, OR* 210PP	
	AX	Hardenburg, R.E., A.E. Watada, and C.Y. Wang. 1986. The Commercial Storage of Fruits, Vegetables, and Florist and Nursery Stocks. *Agriculture Handbook '66* 130PP.	
	AY	McGregor, B.M. 1987. Tropical Products Transport Handbook. *USDA Agr. Handbook* 668:148PP.	
	AZ	Reid, M.S. and R.Y. Evans. 1994. Postharvest Care and Handling of Specialty Flowers. *Proceedings of the Seventh National Conference on Specialty Cut Flowers* Nov/94:105-113.	
	BA	Cantwell, M. & B. Mitcham. 1995. Controlled Atmospheres For Insect Disinfestation. *Perishables Handling Newsletter* Issue No. 82:9-12, 29-30.	
	BB	Inamoto, K., S. Sakoda, M. Doi, and H. Imanishi. 1997. MA Storage May Reduce Chilling Sensitivity of Tulip Bulbs. *CA '97 Proceedings Volume 4: Vegetables and Ornamentals* Postharvest Horticulture Series No18:119-126. (Report on p. 13)	
	BC	Reid, M.S. and L. Dodge. 1997. Produce Facts. *Perishables Handling Quarterly* Issue 14.92:13-22.	
	BD	Parsons, C.S., S. Asen and N.W. Stuart. 1967. Controlled-Atmosphere Storage of Daffodil Flowers. *Proc. Amer. Soc. Hort. Sci.* 90:506-514.	
	BE	Thornton, N.C. 1930. The Use of Carbon Dioxide for Prolonging The Life of Cut Flowers, with Special Reference to Roses. *Amer. J. Bot* 17:614-626.	
	BF	Ricci, M.J., N.K. Lownds, and R.D. Berghage. 1991. Postharvest Longevity of Baileyia Multiradiata and Aster Bigelovii. *Hortscience* 26(6):699. (Abst.)	
	BG	Akamine, E.K. and T. Goo. 1981. Controlled Atmosphere Storage of Anthurium Flowers. *Hortscience* 16(2):206-207.	

Examiner Signature	Date Considered
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¹EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² Applicant is to place a check mark here if English language Translation is attached.

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OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	BH	Prince, T.A. and R.C. Herner. 1983. Use of Low Density Polyethylene Film for Packaging Special Precooled Tulips (Abst.) *Hortscience* 18(4):614.	
	BI	Thornton, N.C. 1930. Carbon Dioxide Storage of Fruits, Vegetables, and Flowers. *Industrial and Engineering Chemistry* 22:1186-1189.	
	BJ	Vergano, P.J. and A.J. Pertuit. 1993. Effects of Modified Atmosphere Packaging on the Longevity of Phalaenopsis Florets. *Horttechnology* 3(4):423-427.	
	BK	Prince, T.A., R.C. Herner and S.W. Gyeszly. 1982. Storage of Special Precooled Tulip Bulbs in Controlled Atmosphere Packages. *Controlled Atmospheres for Storage and Transport of Perishable Agricultural Commodities* Richardson, D.G., G.M. Meheriuk, EDS. P77-85.	
	BL	Anon. 1993. No Need for Water, Refrigeration in Displays. *Greenhouse Manager* 12(4):14.	
	BM	Stephens, D. 1995. Packaging Technology Transfer. *Greenhouse Grower* 13(8):120, 122.	
	BN	Harbaugh, G.J. Wilfret, A.W. Engelhard, W.E. Waters, and F.J. Marousky. 1976. Evaluation of 40 Ornamental Plants for A Mass Marketing System Utilizing Sealed Polyethylene. *Proc. Fla. State Hort. Soc.* 89:320-323.	
	BO	Tjosvold, S.A. and A.D. Ali. 1989. Fumigation of Western Flower Thrips Using Banana Bags (Polyethylene-D) During Simulated Shipment of Cut Flowers. *Flower & Nursery Report* Summer 1989:3, 4.	
	BP	Hawes, J.E. and C.B. Link. 1951. Physiological Studies of Prepackaged Cut Flowers. *American Society for Horticultural Science* 57:423-431.	
	BQ	Anon. 1980. Controlling the Atmosphere with Bag-In-Box Packaging. *Package Engineering* 25(1):33-36.	
	BR	Anon. 1958. No-Ice Film Holds Flowers in Own Humidity. *Modern Packaging* 31(5):103.	

Examiner Signature		Date Considered	
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¹ Unique citation designation number. ² Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449B/PTO		Completion if Known	
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		Filing Date	12/03/2003
		First Named Inventor	Donald E. Weder
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		Examiner Name	Not Yet Assigned
Sheet 4 of 4	Attorney Docket Number	8403.228	

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	BS	Hammer, P.E., S.F. Yang, M.S. Reid, and J.J. Marois. 1990. Postharvest Control of Botrytis Cinerea Infections on Cut Roses Using Fungistatic Storage Atmospheres. *Journal of the American Society For Horticultural Science* 115(1):102-107.	
	BT	Rogers, M.N. 1973. An Historical and Critical Review of Post-Harvest Physiology Research on Cut Flowers. *Hortscience* 8:189-194.	
	BU	Polking, G.F., R.J. Gladon, and D.S. Koranski. 1994. Temporary Suppression of Radicle Elongation of Germinated Impatiens Seeds by Low Oxygen Concentrations. *Hortscience* 29(9):1031-1033.	
	BV	Prince, T.A. and M.S. Cunningham. 1991. Forcing Characteristics of Easter Lily Bulbs Exposed to Elevated-Ethylene and Carbon Dioxide and Low-Oxygen Atmospheres. *Journal of the American Society for Horticultural Science* 116(1):63-67.	
	BV	Prince, T.A., R.C. Herner, and J. Lee 1986. Bulb Organ Changes and Influence of Temperature on Gaseous Levels in a Modified Atmosphere Package of Precooled Tulip Bulbs. *J. Amer. Soc. Hort. Sci.* 111(6):900-904.	
	BX	Prince, T.A., R.C. Herner, and A.A. DeHertogh. 1981. Low Oxygen Storage of Special Precooled 'Kees Nelis' and 'Prominence' Tulip Bulbs. *J. Amer. Soc. Hort. Sci.* 106(6):747-751.	
	BY	Marousky, F.S. R.H. Cubbedge and R.O. Magie. 1983. Controlled Atmospheres During Corm Storage of Flowering Gladiolus. *Florists' Review* 172(4458):38-40.	
	BZ	Staby, G.L., J.W. Kelly and M.S. Cunningham. 1982. Floral Crop Storage. *Controlled Atmospheres for Storage and Transport of Perishable Agricultural Commodities* Richardson, D.G. and M. Meheriuk, Eds. Oregon State Univ. 239-266.	
	CA	Akamine, E.K. and T. Goo. 1981. Effects of Static Controlled Atmosphere and Reduced Pressure Storage on Fading of Vanda Miss Joaquim Flowers. *Univ. of HI, College of Trop. Agr. and Human Resources*. 008:1-8.	
	CB	Kader, A.A., K.F. Kosmire, F.G. Mithcell, M.S. Reid, N.F. Sommer, and J.F. Thompson. 1985. Postharvest Technology of Horticultural Crops. *Coop. Ext. Univ. of California Div. of Agriculture and Natural Resources*. 192pp. 58-64, 174-178.	
	CC	Goszczynska, R.M. Rudnicki. Research Institute of Pomology and Floriculture. *Horticultural Reviews*. 1988 (10):35-62.	

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